

**REMARKS**

Claims 22-33, and 35-43 are currently pending in the application, of which claims 33 and claim 39 are independent. Claims 33 and 39 have been amended as shown in the Listing of Claims section. Applicants submit that these amendments do not add new matter to the application as these amendment incorporate elements from previous claim 25. Claim 25 has been cancelled. In view of the following Remarks, Applicants respectfully request reconsideration.

***Rejections Under 35 U.S.C. §103***

Claims 22-24, 26-33, and 35-43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S Patent No. 5,125,992 issued to Hubbard, et al., ("Hubbard") in view of U.S. Patent No. 5,154,373 to Scott, et al. ("Scott") and U.S. Patent No. 6,797,251 to Bennett, et al. ("Bennett"). Applicants respectfully traverse this rejection and request reconsideration.

Claims 33 is directed to a thermal protection system as requires "an insulating core comprising carbonized carbon foam; an oxidation inhibitor incorporated into said carbon foam; and an antioxidant protective layer on a surface of the carbon foam.

The combination of Hubbard in view of Scott and Bennett does not provide the claimed limitations. Hubbard discloses coating the individual fibers of a polyurethane or ceramic foam with an electrically conductive material. Hubbard does not disclose the use of a carbonized carbon foam as required by claim 33 nor does Hubbard disclose the use of oxidation inhibitors incorporated into the carbon foam. Scott and Bennett do not provide these missing features. Scott is directed to the use of a silicon carbide foam or silicon nitride foam with an outer sheet of ceramic matrix material that includes a fibers in a ceramic material. Bennett is directed to

forming a carbon foam. The combination of Hubbard in view of Scott and Bennett fails to provide the combination of features of independent claim 33 and all the claims that depend therefrom.

These arguments apply equally as well to independent claim 39 and all the claims that depend therefrom.

### ***Extension of Time***

A Petition for a three (3)-month extension of time under 37 C.F.R. §1.136(a) is filed herewith. It is not believed that any further extensions of time are required other than those in the accompanying Petition. If extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. §1.136(a). Applicants believe that further fees for net addition of claims are required at this time. Any fees required for extensions of time and any fees for the net addition of claims are hereby authorized to be charged to Deposit Account No. 50331.

### ***Conclusion***

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Should the Examiner feel that there are any issues outstanding after consideration of this Reply the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution.

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Respectfully submitted,



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